

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:14-CV-237-BR

BEN ARTIS, et al., )  
Plaintiffs, )  
v. )  
MURPHY-BROWN LLC, )  
Defendant. )

**O R D E R**

This case comes before the court for the scheduling of the final pre-trial conference and trial in this matter for Plaintiffs Ben Artis, Diane Artis, James Holmes, Lenora Holmes, Phyllis Wright, Eddie Nicholson, Lenora Nicholson, and Gertie Jacobs. [DE-52].

The trial is set for **Monday, October 1, 2018 at 10:00 a.m.** in Raleigh, North Carolina, 7th Floor, Courtroom 2, before Senior Judge W. Earl Britt, and the final pre-trial conference is set for **Thursday, September 20, 2018 at 4:30 p.m.** by video conference, with the parties appearing in Raleigh, 7th Floor, Courtroom 2, before Magistrate Judge Robert B. Jones, Jr.<sup>1</sup>

Prior to the final pre-trial conference, the parties shall submit their pre-trial order in accordance with Local Civil Rule 16.1 and in the form described in Local Civil Rule 16.1(c) and (e). The pre-trial order is due by no later than **Thursday, September 13, 2018**, and shall be filed in the case, submitted in Word format to “Documents\_Judge\_Jones@nced.uscourts.gov,” and, if the proposed pretrial order exceeds 50 pages, the parties shall provide a courtesy copy by delivery

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<sup>1</sup> In the event the trial of McKiver v. Murphy-Brown LLC, No. 7:14-CV-180-BR, concludes prior to September 20, 2018, the pretrial video conference will be renoticed as a teleconference.

to the Clerk, U.S. District Court, 2 Princess St., Wilmington, North Carolina, 28401. This deadline will not be extended absent the filing of a motion demonstrating good cause. The fact that the parties may have reached a settlement of this matter in advance of the final pre-trial conference does not constitute good cause for an extension of time unless a notice of dismissal or other similar document has been filed with the clerk of court. Failure to timely submit a pre-trial order will result in the cancellation of the final pre-trial conference. If the conference is canceled for this reason, the undersigned may require the parties to appear and show cause.

At the final pre-trial conference, the court will inquire into the expected length of trial. Such calculations should represent a realistic evaluation of the case, number of witnesses, amount of evidence to be presented, and respective burdens of proof.

Counsel are cautioned that video and "read in" depositions must be edited such that only the relevant testimony is shown/read to the jury.

Each party shall prepare verdict forms which indicate the type of relief sought and the issues which would impact the amount of recovery. The proposed verdict forms should be filed at the same time as proposed jury instructions.

SO ORDERED, the 27 day of March 2018.



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Robert B. Jones, Jr.  
United States Magistrate Judge